

Bylaws of the Small Business Advisory Committee

Section I: Purpose

The purpose of the GSA Small Business Advisory Committee is to provide advice and recommendations on a broad range of policy issues dealing with small business and its ability to provide the goods and services required by the Federal Government. The Committee will provide advice regarding policies and guidance that remove obstacles toward small businesses competing for federal contracts.

As deemed necessary, the Associate Administrator for Small Business Utilization may convene subcommittees to support the Committee's functions. All activities of the subcommittees will be in compliance with the Federal Advisory Committee Act (FACA).

Section II: Authority

The Administrator of General Services Administration has determined that the establishment of the Committee is in the public interest. The Committee is subject to the Federal Advisory Committee Act (FACA), as outlined in its Charter, filed with the Congress on August 29, 2005.

Section III: Membership Selection and Appointment

Members of the Committee are appointed by the Administrator for such terms as may be appropriate for the accomplishment of the Committee's mission. Members will be selected based on specific needs of the Committee in order to balance those viewpoints required to effectively address GSA's small business contracting issues under consideration.

Membership includes the responsibility to attend Committee meetings in person. GSA reserves the ability to replace any member who is unable to fully participate in the committee meetings. Alternate members will not be permitted to represent those individuals appointed by GSA without prior written agreement.

Section IV: Meeting Procedures

The Committee will meet as required. Meetings will be called by the Designated Federal Officer (DFO) in consultation with the Chairman according to the following considerations:

A. Agenda: The DFO will approve the agenda for all meetings. GSA will distribute the agenda to the members prior to each meeting and will publish an outline of the agenda with the notice of the meeting in the Federal Register. Items for the agenda may be submitted to the DFO and/or the Chairman by any member of the Committee. Items may also be suggested by non-members, including members of the public.

B. Minutes and Records: The Committee's DFO will prepare minutes of each meeting and will distribute copies to each Committee member. Minutes of open meetings will be available to the public via the internet. Minutes of closed meetings will also be available to the public upon request, subject to the withholding of matters about which public disclosure would be harmful to the interests of the Government, industry, or others, and which are exempt from disclosure under the Freedom of Information Act (FOIA). The minutes will include a record of the persons present (including the names of members, names of staff, and the names of members of the public from whom written or oral presentations were made) and a complete and accurate description of the matters discussed and conclusions reached, and copies of all reports received, issued or approved by the Committee.

All documents, reports, or other materials prepared by, or for, the Committee constitute official government records and must be maintained according to GSA policies and procedures.

C. Open Meetings. Unless otherwise determined in advance, all meetings of the Committee will be open to the public. Once an open meeting has begun, it will not be closed for any reason. All materials brought before, or presented to, the Committee during the conduct of an open meeting, including the minutes of the proceedings of an open meeting, will be available to the public for review or copying at the time of the scheduled meeting.

Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may, at the determination of the Chairman, offer oral comment at such meeting. The Chairman may decide in advance to exclude oral public comment during a meeting, in which case the meeting announcement published in the Federal Register will note that oral comment from the public is excluded and will invite written comment as an alternative. Members of the public may submit written statements to the SBAC at any time.

D. Closed Meetings: Meetings of the SBAC will be closed only in limited circumstances and in accordance with applicable law. In addition, requests for closed meetings must be approved by GSA's Office of General Counsel (OGC) 30 days in advance of the session.

Where the DFO has determined in advance that discussions during a Committee meeting will involve matters about which public disclosure would be harmful to the interests of the government, industry, or others, an advance notice of a closed meeting, citing the applicable exemptions of the Government in the Sunshine Act (GISA), will be published in the Federal Register. The notice may announce the closing of all or just part of a meeting. If, during the course of an open meeting, matters inappropriate for public disclosure arise during discussions, the Chairman will order such discussion to cease and will schedule it for closed session. Notices of closed meetings will be published in the Federal Register at least 15 calendar days in advance.

Section V: Voting

When a decision or recommendation of the SBAC is required, the Chairman will request a motion for a vote. Any member, including the Chairman, may make a motion for a vote. No second after a proper motion will be required to bring any issue to vote.

Section VI: Role of Committee Officials

Chairperson: The Chairperson works with the DFO to establish priorities, identify issues which must be addressed, determine the level and types of staff and financial support required, and serves as the focal point for the Committee's membership. In addition, the Chairperson is responsible for certifying the accuracy of minutes developed by the Committee to document its meetings.

Designated Federal Officer: The DFO serves as the government's agent for all matters related to the Committee's activities. By Law, the DFO must: (1) approve or call the meeting of the Committee; (2) approve agendas; (3) attend all meetings; (4) adjourn the meetings when such adjournment is in the public interest; and (5) Chair meetings of the Committee, when so directed by the Administrator of General Services, or his designee.

In addition, the DFO is responsible for providing adequate staff support to the Committee, including the performance of the following functions: (1) notifying members of the time and place for each meeting; (2) maintaining records of all meetings, including subgroup or working group activities, as required by Law; (3) maintaining the roll; (4) preparing the minutes of all meetings of the Committee's deliberations, including subcommittee and working group activities; (5) attending to official correspondence; (6) maintaining official SBAC records and filing all papers and submissions prepared for or by the SBAC, including those items generated by subcommittees and working groups; (7) acting as the Committee's agent to collect, validate and pay all vouchers for pre-approved expenditures; and, (8) preparing and handling all reports, including the annual report as required by FACA.

Section VII: Expenses and Reimbursement

Expenses related to the operation of the SBAC will be borne by the Office of Small Business Utilization. Expenditures of any kind must be approved in advance by the DFO.

Federal government employees serving on the SBAC are not eligible for any form of additional compensation. The government will pay travel, per diem, and miscellaneous expenses for non-government members at a rate equivalent to that allowable for federal employees.